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11 Attorneys for USACM Liquidating Trust

12 **UNITED STATES BANKRUPTCY COURT**  
13 **DISTRICT OF NEVADA**

14 In re:

15 USA COMMERCIAL MORTGAGE  
16 COMPANY,

17 Debtor.

18 Case No. BK-S-06-10725-LBR

19 Chapter 11

20 **NOTICE OF HEARING ON USACM  
21 TRUST'S MOTION TO ALLOW  
22 PROOFS OF CLAIM BASED UPON  
23 INVESTMENT IN THE AMESBURY  
24 HATTERS POINT LOAN**

25 Date of Hearing: September 30, 2011

26 Time of Hearing: 9:30 a.m.

27 Estimated Time for hearing: 10 min.

28 **THE USACM LIQUIDATING TRUST FILED A MOTION TO ALLOW  
29 PROOFS OF CLAIM BASED UPON INVESTMENT IN THE AMESBURY  
30 HATTERS POINT LOAN. THIS MOTION WILL NOT IMPACT YOUR CLAIM  
31 TO THE EXTENT IT IS BASED UPON AN INVESTMENT IN A DIFFERENT  
32 LOAN.**

33 **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY  
34 COURT TO DISCUSS THE MERITS OF YOUR CLAIM. QUESTIONS  
35 REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM  
36 SHOULD BE DIRECTED TO BRANT FYLLING AT SIERRA GROUP  
37 CONSULTING, LLC (602-424-7009) OR TO UNDERSIGNED COUNSEL, JOHN  
38 HINDERAKER (520-629-4430).**

1                   **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and  
2 through its counsel, has filed its Motion to Allow Proofs of Claim Based Upon Investment  
3 in the Amesbury Hatters Point Loan (with Certificate of Service) (the “Motion”). Your  
4 Proof of Claim number and other information regarding your claim is provided in **Exhibit**  
5 **A**, attached to the Motion. The USACM Liquidating Trust has requested that this Court  
6 enter an order, pursuant to section 502 of title 11 of the United States Code (the  
7 “Bankruptcy Code”) and Rule 3007 of the Federal Rules of Bankruptcy Procedure (the  
8 “Bankruptcy Rules”), allowing your Proof of Claim as an unsecured non-priority claim to  
9 the extent it is based upon an investment in the Amesbury Hatters Point Loan. The  
10 Motion will not impact your Claim to the extent it is based upon an investment in a  
11 different loan.

12                   **NOTICE IS FURTHER GIVEN** that the hearing on the Motion will be held  
13 before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal  
14 Building, 300 Las Vegas Blvd. South, 3<sup>rd</sup> Floor, Courtroom No. 1, Las Vegas, Nevada on  
15 **September 30, 2011, at the hour of 9:30 a.m.**

16                   **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON**  
17 **SEPTEMBER 30, 2011, WILL BE HELD FOR THE PURPOSE OF STATUS**  
18 **CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO**  
19 **ARGUMENTS WILL BE HEARD ON THAT DATE.**

20                   **NOTICE IS FURTHER GIVEN** that pursuant to Local Rule 9014(d), any  
21 response to the motion must be filed and service must be completed no later than **fourteen**  
22 **(14) days** preceding the hearing date. The opposition must set forth all relevant facts and  
23 any relevant legal authority.

24  
25  
26

1       If you object to the relief requested, you *must* file a **WRITTEN** response to this  
2 pleading with the Court. You *must* also serve your written response on the person who  
3 sent you this notice.

4       If you do not file a written response with the Court, or if you do not serve your  
5 written response on the person who sent you this notice, then:

6           • The Court may *refuse to allow you to speak* at the scheduled hearing; and  
7           • The Court may *rule against you* without formally calling the matter at the  
8           hearing.

9       Dated: August 11, 2011

10           LEWIS AND ROCA LLP

11           By /s/John Hinderaker (AZ 18024)  
12           Robert M. Charles, Jr., NV 6593  
13           John Hinderaker, AZ 18024 (*pro hac vice*)  
14           Marvin Ruth, NV 10979  
15           3993 Howard Hughes Parkway, Suite 600  
16           Las Vegas, Nevada 89169  
17           E-mail: JHinderaker@lrlaw.com  
18           Attorneys for the USACM Liquidating Trust

19       Copy of the foregoing and pertinent  
20 portion of Exhibits mailed by first  
21 class postage prepaid U.S. Mail on  
22 August 11, 2011 to all parties listed on  
23 Exhibit A attached.

24       LEWIS AND ROCA LLP

25           /s/ Matt Burns  
26           Matt Burns, Paralegal